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Attorneys for Plaintiff  
NATIONAL ABORTION FEDERATION (NAF)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NATIONAL ABORTION FEDERATION (NAF),

Plaintiff,

v.

THE CENTER FOR MEDICAL PROGRESS,  
BIOMAX PROCUREMENT SERVICES LLC,  
DAVID DALEIDEN (aka "ROBERT SARKIS"),  
and TROY NEWMAN,

Defendants.

Case No. 3:15-cv-3522-WHO

**MOTION TO REMOVE  
INCORRECTLY FILED  
DOCUMENTS: DOCKET NOS. 3-  
7 AND 3-20.**

Judge: William H. Orrick, III

Date Action Filed: July 31, 2015  
Trial Date:

1 Plaintiff National Abortion Federation (“NAF”) hereby moves to remove the following  
2 documents from ECF, submitted electronically on July 31, 2015, in support of the Declaration of  
3 Derek F. Foran In Support of NAF’s Motion for a Temporary Restraining Order and Preliminary  
4 Injunction (“Foran Declaration”) (Dkt. No. 3-2):

- 5 (1) Exhibit 5 to the Foran Declaration (Dkt. No. 3-7); and
- 6 (2) Exhibit 18 to the Foran Declaration (Dkt. No. 3-20).

7  
8 These documents contain highly confidential personal identification information whose  
9 disclosure creates a substantial risk of harm to the safety, security, and privacy of NAF and  
10 NAF’s members. Specifically, Exhibit 5 to the Foran Declaration—NAF’s 2014 Exhibit Rules  
11 and Regulations—includes a reference to an NAF staff member’s name and contact information.  
12 Similarly, Exhibit 18 to the Foran Declaration, which includes the Nucatola Transcript at issue in  
13 NAF’s Motion for an Order to Show Cause as to Why Defendants Should Not Be Held in  
14 Contempt (Dkt. No. 58-3), includes references to confidential information and NAF members’  
15 names learned at NAF’s annual meetings. Public disclosure of this information not only violates  
16 the Court’s Temporary Restraining Order (Dkt. Not. 27), but it also subjects NAF and its  
17 members to continuing threats of physical harm and violence. (*See e.g.*, Dkt. No. 58, 3:24-20  
18 (highlighting death threats leveled against individuals named in the Nucatola transcript and  
19 individuals connected with this lawsuit).) Given the Court’s Temporary Restraining Order and  
20 the substantial privacy interests at issue in this litigation, NAF respectfully requests that the  
21 documents identified above be removed from the public record and replaced with copies  
22 redacting this highly sensitive material.

23 NAF has already contacted the ECF helpdesk regarding this issue, and the documents in  
24 question have been locked from public viewing. NAF will submit correctly redacted versions of  
25 these documents and move to file them under seal when it submits an amended motion to seal in  
26 response with the Court’s August 14 Order re Motion to Clarify TRO and Motion to Seal. (Dkt.  
27 No. 64.)  
28

1 For the foregoing reasons, NAF respectfully requests that the Court grant NAF's Motion  
2 to Remove.

3  
4 Dated: August 17, 2015

MORRISON & FOERSTER LLP

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6 By: /s/ Christopher L. Robinson  
CHRISTOPHER L. ROBINSON

7 Attorneys for Plaintiff  
8 NATIONAL ABORTION FEDERATION  
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